

NOV 19 2012

FCC Mail Room



November 14, 2012

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Washington, DC 20554  
Reference: CC Docket No. 96-45 and CC Docket No. 02-6

Ms. Dortch:

This will serve to formally submit a Request For An FCC Appeal consideration on behalf of our client school, Great Hearts Academies for their 2012 Form 471 that was approved on 9/5/12 but for only a 20% discount eligibility for their new school site, Maryvale Academy. The school opened its doors for the first time in Mid-August of 2012.

- **Form 471 Number:** 846268 (Priority One); FRN 2367958
- **Billed Entity Number:** 16052106;
- **Billed Entity Name (Applicant School):** Great Hearts Academies.

The following are the salient points that we wish for you to consider:

- The RAL for the form 471 was filed on 6/19/12 and changes were included at that timeframe but there was no enrollment demographic information available at that timeframe from the Maryvale campus site and therefore no new information about their discount eligibility other than the baseline minimum of 20%. That is why the RAL did not request any changes or consideration for same regarding this site's discount eligibility.
- The form 471 entered into PIA this past summer and my firm still did not have the enrollment demographic information from the school because it had barely opened in mid-August and the total enrollment demographics were not yet known to them. In essence, the data for enrollment was simply not known to the school applicant at that timeframe as it was only recently opened for its first day of operation.
- The FCDL was issued on 9/5/12 with an FCDL approval but only at the minimum discount eligibility of 20% for the Maryvale campus site.
- On behalf of the school applicant, my firm filed an appeal with USAC on 10/25/12 to request consideration for what was only recently known at that timeframe about the demographics of the new school's enrollment. We enclosed the attached documentation for their review.
- USAC denied the appeal due to a rules violation, citing the fact that the RAL was submitted in the spring but without any amendment requesting a higher discount rate. Again, my team did not know what higher discount rate would be appropriate for this new school because even the school did not possess that information until later in the fall months.
- The enrollment information is now attached herein for your review and consideration in the increase of their discount entitlement to an accurate level, based now on real data.

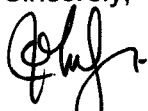
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We are hereby requesting another review of this FRN so that the recently acquired enrollment information for this new school may now be considered for a true discount eligibility review.

Please forward all questions or requests for clarification to the contact information cited below my signature line herein.

Thank you in advance for your consideration in this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'John M. Egan', written over a horizontal line.

**John M. Egan**

CEO

The FundEd Consulting Group

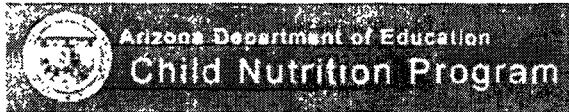
Office: 480-473-5785

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FCC Mail Room



National School Lunch Program - NSLP

Applications | Claims | CNP Overview

You are logged in as Jacqueline Soto

## Claims

## NSLP Site Claim

Help | Logoff

You are in NSLP Home &gt; Claims Index &gt; NSLP Site Claim

Enter the information into the form. For meal quantities that are unknown or none served, enter 0 or (0). Click Save to save your changes or click Cancel to disregard your changes since the last save. Be sure to enter only whole numbers (no decimals or cents).

### Great Hearts Academies- Maryvale Prep (07-85-92-001)

Sponsored by Maryvale Preparatory Academy (07-85-92)  
2013 Program Year

August

Original Claim

Pending Submission

## Regular Claim

Your claim data has been saved, however, some errors have been identified with individual fields on this form. Please correct the errors and save again. This claim cannot be submitted and paid until the errors have been corrected.

- ☒ Breakfast - Regular Free Meals Served is out of range (must be 0)
- ☒ Breakfast - Regular Reduced Price Meals Served is out of range (must be 0)
- ☒ Breakfast - Regular Paid Meals Served is out of range (must be 0)
- ☒ Breakfast - Regular Total Meals Served is out of range (must be 0)
- ☒ Lunch Free Meals Served is out of range (must be 0)
- ☒ Lunch Reduced Price Meals Served is out of range (must be 0)
- ☒ Lunch Paid Meals Served is out of range (must be 0)
- ☒ Lunch Total Meals Served is out of range (must be 0)
- ☒ Afternoon Snack Free Meals Served is out of range (must be 0)

## Breakfast - Regular

Number of Days Served:		17	
Free Meals Served:	<input checked="" type="checkbox"/>	350	Breakfast - Regular Free Meals Served is out of range (must be 0)
Reduced-Price Meals Served:	<input checked="" type="checkbox"/>	20	Breakfast - Regular Reduced Price Meals Served is out of range (must be 0)
Paid Meals Served:	<input checked="" type="checkbox"/>	96	Breakfast - Regular Paid Meals Served is out of range (must be 0)
Total Meals Served:	<input checked="" type="checkbox"/>	466	Breakfast - Regular Total Meals Served is out of range (must be 0)
Participants Approved for Free Meals:		93	
Participants Approved for Reduced-Price Meals:		6	
Participants Approved for Paid Meals:		51	
Participants Enrolled:		150	

## Lunch

Number of Days Served:		18	
Free Meals Served:	<input checked="" type="checkbox"/>	1308	Lunch Free Meals Served is out of range (must be 0)

Reduced-Price Meals Served:	<input checked="" type="checkbox"/>	79	Lunch Reduced Price Meals Served is out of range (must be 0)
Paid Meals Served:	<input checked="" type="checkbox"/>	356	Lunch Paid Meals Served is out of range (must be 0)
Total Meals Served:	<input checked="" type="checkbox"/>	1743	Lunch Total Meals Served is out of range (must be 0)
Participants Approved for Free Meals:		93	
Participants Approved for Reduced-Price Meals:		6	
Participants Approved for Paid Meals:		51	
Participants Enrolled:		150	
<b>Afternoon Snack</b>			
Number of Days Served:		13	
Free Meals Served:	<input checked="" type="checkbox"/>	378	Afternoon Snack Free Meals Served is out of range (must be 0)
Reduced-Price Meals Served:		0	
Paid Meals Served:		0	
Total Meals Served:		378	
Participants Approved for Free Meals:		93	
Participants Approved for Reduced-Price Meals:		6	
Participants Approved for Paid Meals:		51	
Participants Enrolled:		150	
<b>Attendance Factor</b>			
Attendance Factor:		%	

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